

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

DAVID A. GLATTLY and  
ESTATE OF MONICA GLATTLY,

Plaintiffs,

v.

KEVIN J. HECHT,

Defendant.

Civil Action No.

**NOTICE OF REMOVAL**

Defendant Kevin J. Hecht (“Defendant”), pursuant to 28 U.S.C. §§1332, 1441, and 1446 and Local Rule 81.1, hereby removes this action from the Middlesex Superior Court of the Commonwealth of Massachusetts to the United States District Court for the District of Massachusetts. The grounds for removal are as follows:

**THE ACTION AND RELEVANT BACKGROUND**

1. Plaintiff David Glattly (“Plaintiff”) filed a Complaint and Jury Demand against the Defendant on or about July 1, 2024, in the Superior Court for Middlesex County of the Commonwealth of Massachusetts, Civil Action No. 24CV1728 (the “State Court Action”).

2. On or about August 6, 2024, copies of the Complaint and Summons in connection with the State Court Action were served on the Defendant by certified mail.

3. Pursuant to 28 U.S.C. §1446(a) copies of all process, pleadings, papers, and orders filed in the State Court Action are attached as **Exhibit I**.

4. Pursuant to 28 U.S.C. §1446(b), this Notice of Removal has been filed with this Court within 30 days of service of the Summons and Complaint in the State Court Action.

5. No Further Proceedings have occurred in the State Court Action. The Defendant has not served any answer or responsive pleadings to the Complaint, nor made any appearance or argument before the Middlesex Superior Court in the State Court Action.

6. The State Court Action is being removed to this Court on the grounds that original jurisdiction of this action is in this Court. Specifically, all of the parties are of diverse citizenship and there is more than \$75,000 is in controversy.

### **DIVERSITY JURISDICTION**

7. This Court has original jurisdiction under the provisions of 28 U.S.C. §1332, because the parties are diverse and the amount in controversy exceeds \$75,000.

8. Plaintiff is a resident and citizen of the State of Florida. Compl. ¶ 1.

9. Plaintiff is also the Personal Representative of his late wife, Monica, whose Estate was filed in the Circuit Court of the Tenth Judicial Circuit, Polk County, Florida, Probate Division, No. 23CP-3803. Compl. ¶ 3.

10. Defendant is a resident and citizen of State of Connecticut. Compl. ¶ 2.

11. Therefore, there is complete diversity between Plaintiff and Defendant in this action.

12. Plaintiff asserts claims for interference with contractual relations, defamation, and intentional infliction of emotional distress. Compl., Counts I-III. The amount in controversy exceeds \$75,000 as Plaintiff seeks to recover alleged compensatory, punitive, and other damages.

13. Because United States District Courts have original jurisdiction over actions brought by diverse citizens when the amount in controversy is greater than \$75,000, pursuant to 28 U.S.C. § 1332(a), removal of this case to this Court under the circumstances presented is proper and appropriate.

14. Accordingly, the State Court Action is removable to this Court pursuant to 28 U.S.C. §1441(a).

15. Venue is proper because the Middlesex Superior Court of the Commonwealth of Massachusetts, the court where the State Court Action is pending, is embraced within “the district and division” of this Court. 28 U.S.C. §1441(a). Plaintiff also alleges that “the actions complained of herein occurred with this jurisdiction.” Compl. ¶ 9.

**NOTICE TO THE PLAINTIFF AND**  
**MIDDLESEX SUPERIOR COURT**

16. As required by 28 U.S.C. §1446(d), a copy of the original Notice of Removal will be served on Plaintiff’s counsel of record. In addition, a copy of this Notice of Removal will be filed with the Clerk of the Court for Middlesex Superior Court. **Exhibit II.**

WHEREFORE, Defendant prays that the State Court Action now pending against them in Middlesex Superior Court for the Commonwealth of Massachusetts be removed to this Court.

Respectfully submitted,

**KEVIN J. HECHT**

By his attorney,

/s/ Paul V. Kelly  
Paul V. Kelly (BBO # 267010)  
Jackson Lewis P.C.  
75 Park Plaza, 4<sup>th</sup> Floor  
Boston, Massachusetts 02116  
(617) 305-1263  
[Paul.kelly@jacksonlewis.com](mailto:Paul.kelly@jacksonlewis.com)

Dated: August 15, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that on the above date, a true copy of the foregoing was sent to Plaintiff's counsel Adam P. Whitney ([awhitney@awhitneylaw.com](mailto:awhitney@awhitneylaw.com)) by electronic mail.

/s/ Paul V. Kelly  
Jackson Lewis P.C.